

09/19/01

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37812 U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
37000-0015

Total Pages in this Submission  
4

37812 U.S. PTO  
09/19/01

## TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**OPTICAL STRUCTURES EMPLOYING SEMICONTINUOUS METAL FILMS**

and invented by:

**VLADIMIR M. SHALAEV  
Z. CHARLES YING  
ANDREY K. SARYCHEV**

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

### Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☐ Specification having 41 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☒ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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**Application Elements (Continued)**

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*  
a. ☐ Formal      b. ☒ Informal      Number of Sheets 13
4. ☒ Oath or Declaration  
a. ☐ Newly executed *(original or copy)*      ☒ Unexecuted  
b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*  
c. ☒ With Power of Attorney      ☐ Without Power of Attorney  
d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied  
under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission *(if applicable, all must be included)*  
a. ☐ Paper Copy  
b. ☐ Computer Readable Copy  
c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

8. ☐ Assignment Papers *(cover sheet & documents)*
9. ☐ 37 CFR 3.73(b) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing  
☐ First Class      ☒ Express Mail *(Specify Label No.):* EL894190988US

**UTILITY PATENT APPLICATION TRANSMITTAL  
(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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**Accompanying Application Parts (Continued)**

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☒ Small Entity Statement(s) - Specify Number of Statements Submitted: Claimed per 37 CFR 1.27
17. ☒ Additional Enclosures *(please identify below)*:

Associate Power of Attorney

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

18. ☒ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	60	- 20 =	40	x \$9.00	\$360.00
Indep. Claims	22	- 3 =	19	x \$40.00	\$760.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$355.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$1,475.00

- ☒ A check in the amount of \$1,475.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 13-4213 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: September 19, 2001

*Signature*

Jeffrey D. Myers, Reg. No. 35,964  
PEACOCK, MYERS & ADAMS, P.C.  
Post Office Box 26927  
Albuquerque, New Mexico 87125-6927  
Telephone: (505) 998-1500  
Direct line (505) 998-1502

CUSTOMER NO. 005179  
cc:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Vladimir M. Shalaev, et al.

Docket No.

37000-0015

Serial No.

Filing Date

HEREWITH (Sep 19, 2001)

Examiner

Group Art Unit

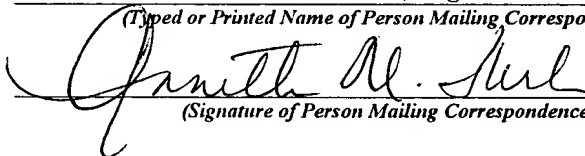
Invention: **LED-BASED SENSOR FOR COMBUSTION DETECTION**

I hereby certify that the following correspondence:

New patent application with filing fee check \$1475 and associated papers

*(Identify type of correspondence)*

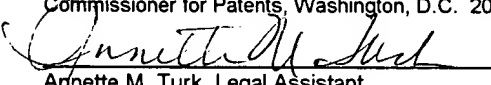
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under  
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

September 19, 2001*(Date)*Annette M. Turk, Legal Assistant*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EL894190988US*("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.

PATENT APPLICATION

I hereby certify that this paper is being deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" service under 37 CFR 1.10 via Label No.  
EL894190988US on September 19, 2001, addressed to **Box: Patent Applications,**  
Commissioner for Patents, Washington, D.C. 20231.

  
Arnette M. Turk, Legal Assistant

September 19, 2001  
Date Signed

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	VLADIMIR M. SHALAEV, et al.	:
Serial No.:	UNKNOWN	: Attorney Docket No.: 37000-0015
Filed:	September 19, 2001 (HEREWITH)	: Anticipated Group Art Unit: UNKNOWN
For:	OPTICAL STRUCTURES EMPLOYING SEMICONTINUOUS METAL FILMS	:

ASSOCIATE POWER OF ATTORNEY

**Box: Patent Application**  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

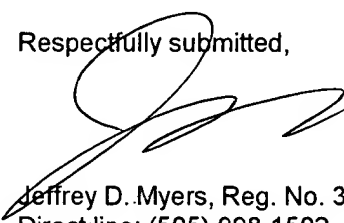
Jeffrey D. Myers, a principal attorney in the above-identified application for Letters Patent, hereby  
appoints:

Deborah A. Peacock, Reg. No. 31,649  
Paul Adams, Reg. No. 21,096  
Rod D. Baker, Reg. No. 35,434  
Andrea L. Mays, Reg. No. 43,721;  
Stephen A. Slusher, Reg. No. 43,924 and  
Katy C. Fain, Reg. No. 42,520

as associate attorneys with full power.

Respectfully submitted,

Date: September 19, 2001

  
Jeffrey D. Myers, Reg. No. 35,964  
Direct line: (505) 998-1502

Attorney for Applicant(s)  
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0055712-091901